

NOV 15 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/658,617
 Applicant. : Lloyd G. Mitchell
 Filed : September 9, 2003
 TC/A.U. : 1636
 Examiner : Guzo, David
 Docket No. : 027705.00026
 Customer No. : 38485
 For : TRANS-SPlicing MEDIATED PHOTODYNAMIC THERAPY

Commissioner for Patents
 P.O. Box 450
 Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
 AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME**

Mail Stop AF
 Commissioner for Patents
 P.O. Box 450
 Alexandria, VA 22313-1450

Date: September 15, 2006

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated April 12, 2006 finally rejecting claims 9-12 and 19-26.

A response to the final rejection dated October 12, 2006 was filed, with a three-month extension of time and payment of extension fees.

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NYC/303549.1

Application No. 027705.00026

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The \$250.00 Appeal Fee is attached (small entity).

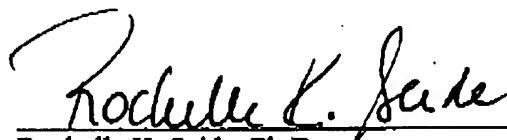
Also included PTO-2038 for payment of the Notice of Appeal fee \$250.00.

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Please charge any fee deficiency or credit any overpayment to our Deposit

Account No. 01-2300.

Respectfully submitted,



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